

MINUTES
VILLAGE OF ELBURN COMMITTEE OF THE WHOLE (COW)
MARCH 6, 2023
AT ELBURN VILLAGE HALL

Board Members Present: President Jeff Walter, Trustees: Ken Anderson, Sue Filek, Bill Grabarek, Chris Mondy, Patricia Schuberg, Matt Wilson

Board Members Absent:

Staff Members Present: Village Administrator John Nevenhoven, Assist Village Admin & HR Specialist Chris Ranney; Finance Director Doug Elder, Village Attorney Bill Thomas, Police Chief Nick Sikora; Building Commissioner Tom Brennan; Public Works Supt Phil VanBogaert; Village Engineer Julie Morrison

Others Present: Residents LeRoy Herra, Thomas Gush, Chris Hansen; Kane County Chronicle reporter Susan O'Neill

1. Call to Order – Mayor Walter called the meeting to order at 7:32 PM.
2. Roll Call – A roll call ensued.
3. Public Comment – None
4. Discussion:
 - a. Pierce Street Sewer Recommendations – Presented by Public Works Supt. VanBogaert. Staff recommends waiving the Village of Elburn's 60-day connection requirement, setting a five-year requirement to connect to the sanitary sewer (or sooner if the property sells or septic fails), and no financial assistance from the Village. Other recommendations were presented for consideration. Ancillary charges to reconfigure plumbing and abandonment of the septic system will be a high amount for homeowners to absorb. Connection fees will increase annually. If the Village charges a recapture fee, it would be approximately \$36K per house (total of six homes). There are two homes on Third Street with existing stubs that will have to connect. Not certain why the developer did not install sewer in the area when the property was developed. Village Attorney Thomas said if Board action is taken to require action upon a trigger, something would be recorded against the benefitting properties (identified by PINs) to ensure it is caught with all transactions and future purchasers are aware of an obligation. Nevenhoven said a recapture ordinance listing all of the properties and the obligation would be appropriate. However, adding a recapture fee to the estimated \$10K to \$15K cost would be excessive. Using staff recommendations with a financial arrangement was suggested. An incentive to connect sooner would be the fact that connection fees increase annually. There are a few water-only customers in the Village on a septic system with no sewer connection currently available—mostly in the older parts of town (NE and SE quadrants), along Keslinger Road, on Johnson, and all of Hughes Creek. A 5-year financing agreement was recommended and every year that passes, the incentive decreases. There was agreement the only Village charge will be the connection fee, not a recapture. This improvement will increase the value of homes. Costs should be clearly explained to residents. The homes on Third Street will be included in this connection requirement. For clarification, Nevenhoven stated any property, not under this proposed recapture ordinance, will have to comply with the 60-day requirement of the Village Ordinance. Any recapture should clearly state this particular infrastructure and include addresses and PINs. Once the agreement is recorded, copies should be mailed to affected owners. VanBogaert will ensure the Kane County Health Department is aware of the affected properties. What happens if someone fails to connect within the five-year time limit? Finance Director Elder stated if a payment agreement is not abided by water is shut off. When asked what our leverage is in five years, Attorney Thomas said the properly recorded document will force compliance and will catch

attention. Certified mail to homeowners was suggested. It was suggested homeowners be properly notified well in advance of the sanitary sewer installation and what their obligations will be. Once a draft ordinance is available, a letter should be sent to the affected homeowners letting them know this will be discussed at a future Board meeting. In addition to the letter and ordinance, an FAQ in layman's terms clearly stating homeowner obligation is suggested.

- b. Electric Vehicle Parking Restrictions – Chief Sikora reported we need to restrict parking spaces for electric vehicles. Ordinances from other communities were reviewed resulting in the draft before the Board this evening. A three-hour time limit was suggested, and signs should be posted restricting the spaces to electric vehicles. Discussion ensued if it should be a Class 1 violation (\$40 fine) or a Class 2 violation (\$80 fine). There was consensus to leave as suggested (class 1 violation with \$40 fine) with the understanding it will be re-evaluated in the future if need be. There was agreement to put this item on the next Village Board Consent Agenda.
- c. FY24 Budget SSA 1 – There were no questions from the Board for this budget.
- d. FY24 Budget SSA 2 – There were no questions from the Board for this budget.
- e. FY24 Budget SSA 6 – There were no questions from the Board for this budget.
- f. FY24 Budget Building Zoning – Building Commissioner Brennan presented. The budget includes a new full-time staff member in Building & Zoning. There were no questions from the Board.
- g. FY24 Budget PD – Chief Sikora presented. We are currently in negotiations with full-time officers so believe the numbers presented will be good according to negotiations. There were no questions from the Board.

5. Other Business – None

6. Adjourn – Trustee Mondy moved to adjourn the meeting at 8:23 p.m. The motion was seconded by Trustee Grabarek and passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin
Village Clerk